



Response Under 37 CFR §1.116  
Expedited Procedure  
Examining Group 1614

CASE LA0046a CIP-1

CERTIFICATE OF MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

BETH ANNE PIPER

APPLICATION NO: 09/460,920

FILED: DECEMBER 14, 1999

FOR: METHOD FOR TREATING DIABETES

Art Unit: 1614

Examiner: R. Cook

Assistant Commissioner for Patents  
Washington, D.C. 20231

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AMENDMENT

Sir:

In response to the Official Action mailed July 16, 2002, applicant requests that the above-identified application be amended as follows.

In the Claims:

Please cancel Claim 74.

Please amend Claims 37, 59, 60, 71, 72 and 73 as follows:

1 -- 37. (Twice Amended) A method for first line treatment of type 2 diabetes, in a drug naive human patient, which comprises administering to a drug naive human patient in need of treatment, as first line therapy, a low dose of a combination of metformin and glyburide, where the glyburide has a particle size distribution so that at most 10% of the particles of the glyburide are less than 2  $\mu$ m and at most 10% of the particles of the glyburide are greater than 60  $\mu$ m, wherein the metformin in said low dose combination is administered in a daily dosage in an amount within